

CITY OF CLEWISTON
PLANNING AND ZONING BOARD
Regular Meeting
March 9, 2009

Mr. Hughes called a regular meeting of the Clewiston Planning and Zoning Board to order at 5:30 p.m., in the Commission Chambers at City Hall, 115 West Ventura Avenue.

ATTENDANCE:

Members Present: Lewell Hughes
Jack Webb
Sassy Whitehead

Members Absent: Leroy Hare
Ramon Iglesias

City Personnel Present: Travis Reese
Debbi Towner
Jim Watt, City Attorney

Visitors Present: David Hegley and John C. Perry, Sr.

Approval of Minutes:

Ms. Whitehead made a motion, seconded by Mr. Webb to approve the amended minutes of the September 8, 2008 meeting. Ms. Whitehead also made a motion, seconded by Mr. Webb to approve the minutes of the November 10, 2008 meeting. Motions passed unanimously on a voice vote.

Variance request by Hampton Chrysler Dodge to reopen their paint and auto body repair shop, 202 West Sugarland Hwy., Block 354, lots 34-37, GPOC, Zoned C.

Mr. Reese started with a brief history. There had been a paint and auto body repair located at this site prior to 1994. Because current code prohibits this use in the commercially zoned district, the applicants were advised to apply for a variance to the code.

Mr. Hegley stated that their business is growing and they would like to expand their business to include painting and auto body repair for their customer base. They intend to employ locals and will not be increasing the size of their building. They plan to use existing space modified with the latest equipment meeting state and federal regulations.

Mr. Watt says there may be a problem with the board granting a variance for code that is clearly prohibited (ie: Section 110-387 (26)). Hampton Chrysler Dodge has to prove hardship in order for the variance to be approved. Also, the non-conforming legal use that was closed in 1994 cannot be reinstated according to code section 110-122 (3). Mr. Watt suggested to the board that they recommend changes to the code to the City Commission.

Mr. Webb believes that there must have been a variance granted when the shop first opened and, in his opinion, the city should not hold any company back that wants to improve their business and give back to the community.

Mr. Perry has no objections and the proposed use is not harmful in any way to the surrounding businesses. There are no residential properties in the immediate vicinity.

Ms. Whitehead was concerned with the equipment that would be installed. Mr. Reese assured the board that they will have to comply with all state and federal regulations pertaining to auto body repair and painting.

There was one (1) email from neighbors, Mr. Jim Perkins is all for businesses prospering and has no objection with the request.

Ms. Whitehead made a motion to deny the variance application as presented; however, recommends that the City Commission amend code section 110-387 (26) by omitting six (6) words "other than painting and body repair", seconded by Mr. Webb. Motion passed unanimously on a voice vote.

Adjournment

The motion to adjourn was made by Mr. Webb, seconded by Ms. Whitehead, at 5:48 p.m.

Submitted by: Travis Reese, Building Official
Approved by: David E. Perry, Chairman